

**GRUNGO COLARULO**

A Limited Liability Company

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Attorneys for Plaintiff

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

WILLIAM I. ROZANSKI, III, as Guardian *Ad*  
*Litem* for D.D., a Minor Child,

Plaintiff,

v.

KAWASAKI MOTORS CORP., USA;  
KAWASAKI MOTORS ENTERPRISE (Thailand)  
CO., LTD.; KAWASAKI HEAVY INDUSTRIES,  
LTD.; and EAST COAST CYCLES and  
POWERSPORTS EAST

Defendants,

and

KAWASAKI MOTORS CORP., USA; EAST  
COAST CYCLES; and, POWERSPORTS EAST,

Third Party Plaintiffs,

v.

DOUGLAS & HEATHER DUELL,

Third Party Defendants.

Civil Action

Case No. 1:12-cv-07273 (JBS) (AMD)

**ORDER APPROVING MINOR  
SETTLEMENT AND DIRECTING  
DISTRIBUTION**

This matter having coming before the Court by way of an unopposed motion seeking final approval of a settlement of the claims of the minor Plaintiff, Dylan Duell, in this matter; and

Counsel for the parties having reported to the Court that they have arrived as a settlement of the minor Plaintiff's claim between the Plaintiff and the Defendants; and

The Court having reviewed the moving papers and the parties having appeared and testified in open Court and being satisfied that the settlement amount is fair and reasonable and in the minor's best interest. Accordingly,

IT IS on this 7<sup>th</sup> day of December 2015 hereby

**ORDERED** and **ADJUDGED** that:

1. The settlement entered into on behalf of Dylan, a minor by his Guardian *Ad Litem*, in the gross amount of \$315,000.00 against Defendants is **APPROVED**.
2. Judgment shall be and hereby is hereby entered in favor of Plaintiff and against Defendants as follows:

Kawasaki Motors Corp., USA:	\$ 150,000.00
East Coast Cycles/Powersports East:	\$ 150,000.00
Douglas & Heather Duell:	\$ 15,000.00

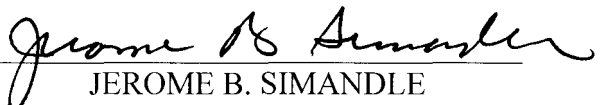
3. The following deductions shall be made from the gross settlement:

- a) \$36,445.12 to reimburse Plaintiff's counsel for costs advanced;
- b) \$69,638.53 for attorneys' fees to Grungo Colarulo, LLC;
- c) \$24,500 to satisfy the ERISA lien;
- d) \$1,687.50 to Guardian *Ad Litem*; and
- e) \$2,500.00 to Heather Duell for expert costs.

4. It is further ordered that the net proceeds, after payment of the deductions listed above, shall be paid by Defendants to First Capital Surety & Trust Company under the trust instrument executed by the parties. The form of said Trust having been submitted to and reviewed by the Court and the Trust shall be administered in accordance with the terms of the

Trust for the benefit of minor Plaintiff, Dylan Duell. Under the terms of the proposed Trust which is hereby authorized and approved, there shall always be a duly qualified bank or trust company corporate co-trustee and therefore the Court waives any requirement that the Trustees post a surety bond under R.4:96-5.

It is further ordered that a copy of this Order shall be served upon all counsel within seven days of its receipt by Plaintiff's counsel.

  
JEROME B. SIMANDLE  
Chief U.S. District Judge